

**LOUISVILLE METRO AIR POLLUTION CONTROL DISTRICT
PRELIMINARY REGULATORY IMPACT ASSESSMENT**

REGULATION 2.09 VERSION 3
Causes for Permit Modification, Revocation, or Suspension

AUGUST 14, 2015

PURPOSE OF THE PROPOSED ACTION:

The purpose of this action is to amend Regulation 2.09 *Causes for Permit Modification, Revocation, or Suspension* to add the phrases “or other authorization to operate” and “owner or operator” and make other non-substantive revisions. The proposed amendments are in response to a 2013 rulemaking where an additional type of authorization to operate registered stationary sources was added to District Regulations Part 2 *Permitting Requirements*. The large scope of the rulemaking led to references in Regulation 2.09 not being updated prior to the final rulemaking. These proposed amendments serve to correct and clarify these minor oversights and to clarify applicability.

In all sections of the regulation, the phrase “or other authorization to operate” is added after the word “permit” and the phrase “owner or operator” replaces the word “permittee.” These amendments represent a more accurate description of applicability to include all types of authorizations or approval from the District to operate under specific requirements specified in permits or registrations or notices.¹

Also, other non-substantive amendments were made including the deletion of other regulation titles to prevent inconsistencies in cross references for future rulemakings. In section 3, the District deleted the word “permit” and replaced with “applicable.” This is a more accurate and description of the fees to account for all types of authorizations to operate.

ESTIMATED COSTS AND SAVING:

The District believes the proposed amendments will not have an economic impact on businesses, political subdivisions and members of the public.

FEASIBILITY OF ALL ALTERNATIVES:

The proposed amendments are intended to be administrative in nature to correct and clarify inconsistencies related to past rulemakings.

1. District Regulation 2.02 *Air Pollution Regulation Requirements and Exemptions* establishes the requirements for exempt sources, temporary exemptions, and registered sources. District Regulation 2.03 *Authorization to Construct or Operate: Demolition/Renovation Notices and Permit Requirements* establishes the requirements for permits to construct and operate and demolition/renovation notices and permits.

COMPARISON WITH ANY MINIMUM OR UNIFORM STANDARDS:

The proposed regulation is as stringent as the prior version.

REPORT ON PUBLIC OUTREACH EFFORTS:

A draft of **REGULATION 2.09** *Causes for Permit Modification, Revocation, or Suspension* will be sent for formal review to all persons who have requested to be informed of proposed changes to any District regulations; EPA Region 4; and the Kentucky Division for Air Quality.

In addition, pursuant to Regulation 1.08 *Administrative Procedures*, the public will have an opportunity to comment during the informal comment period, at a meeting of the appropriate committee of the Air Pollution Control Board, during the formal public comment period, and at a public hearing prior to consideration by the full Board.